| Please type a | plus sign | (+) Inside this | box → | 1 + 1 |
|---------------|-----------|-----------------|-------|-------|

PTO/SB/08A (10-96)
Approved for use through 10/31/99. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

| nder j | he Pa | perwork Reduction | Act of 1995, | no persons are required to | respond to a collection of informati | on unless it contains a valid OMB control number. | | |
|--------|-------|------------------------|--------------|----------------------------|--------------------------------------|---|--|--|
| | Su | ubstitute for form 144 | 49A/PTO | | Complete if Known | | | |
| ľ | | | | | Application Number | 09/683,399 | | |
| | | | | ISCLOSURE | Filing Date | 12/21/2001 | | |
| 1 | S | STATEMEN | IT BY | APPLICANT | First Named Inventor | Briam J. Martinell | | |
| 人 | | | | | Group Art Unit | 1638 | | |
| E | ./ | (use as ma | ny sheets | as necessary) | Examiner Name | Unknown | | |
| | She | eet 1 | of | 1 | Attorney Docket Number | 38-21(51470) | | |

| Š | U.S. PATENT DOCUMENTS | | | | | | | |
|-------------------|--------------------------|------------|-----------------------------------|---------------------------------------|--|--|--|--|
| | | U.S. Paten | t Document | Name of Patentee or Applicant | Date of Publication of | Pages, Columns, Lines, | | |
| miner initials | Cite No. ¹ | Number | Kind Code ² (If known) | of Cited Document | Cited Document MM-DD-YYYY | Where Relevant Passages or Relevant Figures Appear | | |
| | A1 | | | | | | | |
| | | | | | | | | |
| | | | | | - - - - - - - | | | |
| | \vdash | | | | | · | | |
| | | | | · · · · · · · · · · · · · · · · · · · | | | | |
| | | | | | | | | |
| | | | | | <u> </u> | | | |
| | | | | | <u> </u> | | | |
| | | | | | | ECFIVED | | |
| | | | | | | H-ULIVE- | | |
| | | | | | | 101 3 2002 | | |
| | | | | | | | | |
| | | | -++ | | TEC | H CENTER 1600/2900 | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

| | | | FOR | EIGN PATENT DOCUMENT | rs | | |
|----------|------------|--|--|--|--|---|--|
| ner Cite | | Foreign Patent Document Kind Code ⁵ Number ⁴ (if known) | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Тŝ |
| B1_ | WO | 99/19497 | | Yeda Research Dev | 04/22/1999 | | |
| B2 | wo | 00/66747 | | Zeneca Limited | 11/09/2000 | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | - | | | | | |
| | No.1 B1 | No.1 Office ² B1 WO | Cite No. 1 Office 3 Number 4 B1 WO 99/19497 | Cite No. 1 Office3 Number4 Kind Code5 (if known) B1 WO 99/19497 | Cite No. 1 Office No. 1 Number 1 Name of Patentee or Applicant of Cited Document B1 WO 99/19497 Yeda Research Dev | Cite No.1 Office Number Kind Code Applicant of Cited Document MM-DD-YYYY B1 WO 99/19497 Yeda Research Dev 04/22/1999 | Cite No. 1 Office No 199/19497 The proof of Patent Document Name of Patentee or Applicant of Cited Document MM-DD-YYYY Name of Patentee or Applicant of Cited Document MM-DD-YYYY Passagss or Relevant Flqures Appear Yeda Research Dev 04/22/1999 |

| Examiner () | Date () |
|--------------|---------------------|
| Signature | Considered 10 Novey |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁴ Applicant is to place a check mark here if English language Translation is attached.

| Please t | ype | a plus | sign (| (+) | inside | this | box → | \Box | l |
|----------|-----|--------|--------|-----|--------|------|-------|--------|---|
| | 7 | | v.g | ٠, | | | | T T | ı |

Substitute for form 1449B/PTO

PTO/SB/08B (10-96)

Please type a plus sign (+) inside this box

+ Approved for use through 10/31/99. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| Complete if Known | | | | |
|------------------------|--------------------|--|--|--|
| Application Number | 09/683,399 | | | |
| Filing Date | 12/21/2001 | | | |
| First Nam d Inventor | Brian J. Martinell | | | |
| Group Art Unit | 1638 | | | |
| Examiner Name | Unknown | | | |
| Attorney Docket Number | 20.21/51470) | | | |

(use as many sheets as necessary) of 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

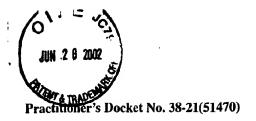
neet

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Cite item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), Initials No.1 publisher, city and/or country where published. PUDDEPHAT, I.J., "Recovery of phenotypically normal transgenic plants of Brassica oleracea upon Agrobacterium rhizogenes-mediated co-transformation and selection of transformed hairy roots by GUS assay," Molecular Breeding, Vol. 7, p.229-242, (2001). SENIOR, I. ET AL, "Transformation of Antirrhinum majus using Agrobacterium rhizogenes," J Experimental Botany, Vol. 46 (No. 290), p. 1233-39, (June 19, 1995). RECEIVED TECH CENTER 1600/4900

| Examiner Signature | Tomen | Date Considered | 16 Novor |
|-----------------------|-------|--------------------|----------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include-copy of this form with next communication to applicant.

¹ Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.



RECEIVED

JUL 3 2002 TECH CENTER 1600/2900 16/38 FATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian J. Martinell, Lori S. Julson, Venera Bouriakova, Carol A. Emler, Dennis E.

McCabe, and Michael W. Petersen

Application No.:

09/683,399

Group No.: 1638

Filed:

December 21, 2001

Examiner: Unknown

For: P

Plant Transformation Process with Selection and Early Identification of Germline Events

Assistant Commissioner for Patents Washington, D.C. 20231

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. section 1.97(b))

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. section 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

FACSIMILE

 \nearrow

deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

transmitted by facsimile to the Patent and Trademark Office.

Date: 25 June 02

Thomas P. McBrtide

Practitioner's Docket No. 38-21(51470)

Date: 270402

Reg. No.: 32,706

Tel. No.: 636-737-7685 Fax No.: 636-737-6047 Customer No.: 27161 Signature of Practitioner

Thomas P. McBride Monsanto Company

800 North Lindbergh Boulevard

St. Louis, MO 63176